

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services – PR & RD Dept – Orders of Hon'ble APAT dt. 04.03.2011 in O.A. No. 4182/2008 filed by Sri A. Ramachandra Acharya, Executive Engineer, Panchayat Raj, Kurnool - Expired on 11.07.2010 - Allegations in execution of work repairs to M.I. tank at Kotacheruvu of Atmakur (M), Kurnool Dist – Further action abated – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O. Rt. No. 536

Dt. 01-04-2013

Read the following:-

1. Govt. Memo. No. 137/VS.I/A1/2002-4, dt. 13.08.2002
2. Written Statement of Defence dt.31.07.2003 Submitted by Sri A. Ramachandra Acharya, EE, Kurnool
3. G.O. Rt. No. 397 PR & RD (Vig. II) Dept., Dt. 10.03.2005
4. From GA (COI-AMR) Dept., Lr. No. 179/COI-AMR/2005-1, dt. 19.04.2006
5. G.O. Rt. No. 665 PR & RD (Vig. II) Dept., Dt. 5.5.2008
6. Orders dt. 04.03.2011 of APAT in O.A. No. 4182/2008 filed by Sri A. Ramachandra Acharya, EE, Kurnool.
7. From the ENC, PR, Hyderabad letter No. Vig. I (4)/7523/02, dt. 13.04.2011 & 23.05.2011

ORDER:

In the reference 1st read above, Government have framed charges against Sri A. Ramachandra Acharya, Executive Engineer, Panchayat Raj on the allegations of execution of repairs to M.I. tank at Kotacheruvu of Atmakur (M), Kurnool Dist along with others.

2. After examining the written statement of defence submitted by Sri A. Ramachandra Acharya, Executive Engineer, Panchayat Raj vide reference 2nd read above and the written statement of defences of other officers, the case was entrusted to Commissioner of Inquiries by appointing Dr. A. Madhusudan Reddy, IAS (Retd), Member, Commissioner of Inquiries as Inquiry Authority for detailed inquiry vide reference 3rd read above. The Inquiry Officer has submitted his inquiry report vide reference 4th read above and informed that the charges framed against the charged officers were held proved.

3. After following the due procedure, Government vide reference 5th read above have issued orders imposing the penalty of withholding of 33% pension permanently on Sri A. Ramachandra Acharya, former Executive Engineer, Panchayat Raj, Kurnool on the allegations of execution of repairs to M.I. tank at Kotacheruvu of Atmakur (M), Kurnool Dist.

4. Aggrieved by the said orders, Sri A. Ramachandra Acharya, former Executive Engineer, Panchayat Raj, Kurnool has filed O.A. No. 4182/2008 in the Hon'ble Andhra Pradesh Administrative Tribunal. A Counter Affidavit was filed in the above O.A by the Government on 05.11.2008 duly narrating all the circumstances happened in the disciplinary case pending against Sri A. Ramachandra Acharya, former EE, PR, Kurnool.

5. The Hon'ble Andhra Pradesh Administrative Tribunal in the reference 6th cited has made the following order in O.A. No. 4182/2008, dt. 04.03.2011:-

"In the result, the O.A. is allowed. The impugned G.O. Rt. No. 665 PR & RD (Vig. II) Dept., Dt. 5.5.2008 imposing the punishment of withholding 33% pension permanently against the applicant is set aside. However, the Respondents are at liberty to conduct fresh enquiry from the stage after appointment of enquiry officer by following the procedure prescribed under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, if they so desire. If no steps are taken to proceed with the enquiry within two months from the date of receipt of this order, the Respondents are directed to release full pension to the applicant according to Rules. No order as to costs."

6. In the reference 7th read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad, while enclosing the death certificate in respect of Sri A. Ramachandra Acharya, Executive Engineer, Panchayat Raj, Kurnool has informed that the individual was expired on 11.07.2010.

7. Government have examined the matter with reference to the orders issued by the Hon'ble Andhra Pradesh Administrative Tribunal dt. 04.03.2011 and report furnished by the Engineer-in-Chief, Panchayat Raj, Hyderabad vide reference 7th read above and have decided to abate further action against Sri A. Ramachandra Acharya, Executive Engineer, Panchayat Raj on the allegation of irregularities in execution of Repair works to M.I. Tank at Kotacheruvu of Atmakur (M), Kurnool Dist and to recover the loss caused from his Pensionary benefits and accordingly hereby order to abate further action against Sri A. Ramachandra Acharya, Executive Engineer, Panchayat Raj on the allegation of irregularities in execution of Repair works to M.I. Tank at Kotacheruvu of Atmakur (M), Kurnool Dist and order for recover the loss caused to Govt from his Pensionary benefits as per Sub-Rule (7) of Rule 9 of APRP Rules, 1980.

6. The Engineer-in-Chief, Panchayat Raj, Hyderabad shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVT (PR)

To
The Engineer-in-Chief,
Panchayat Raj,
Hyderabad

The Legal heirs of Late A. Ramachandra Acharya, Executive Engineer,
Panchayat Raj (through Engineer-in-Chief, Panchayat Raj, Hyderabad)
The Engineer-in-Chief, Panchayat Raj, Hyderabad with a request to furnish compliance
report to Hon'ble APAT w.r.to order dt. 4.3.2011 in OA No. 4182/2008
Copy to the Government Pleader for PR & RD, Andhra Pradesh Administrative Tribunal,
Hyderabad (with reference to orders dt. 4.3.2011 in OA No. 4182/2008)
Copy to the Vigilance Commissioner, APVC, Hyderabad
(with reference to Lr. No. 2018/VC. G1/2004, Dt. 11.02.2013)
Copy to P.S. to Principal Secretary, PR
Copy to file
SF/SCs

//FORWARDED BY ORDER

SECTION OFFICER